IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

THURSDAY, THE 6TH DECEMBER 2007 / 15TH AGRAHAYANA 1929

WP(C).No. 36172 of 2007(F)

PETITIONER:

FAFFER K.S., S/O. SHUKKOOR K.S.,
KUTTIKKATTIL HOUSE, KANJIRAPPALLY, KOTTAYAM DIST.

BY ADV. SRI.BOBBY JOHN
SRI.P.N.DAMODARAN NAMBOODIRI

RESPONDENTS:

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1. KANJIRAPPALLY GRAMA PANCHAYAT,
REPRESENTED BY ITS SECRETARY.

2. KERALA STATE POLLUTION CONTROL BOARD,
REPRESENTED BY THE ENVIRONMENTAL ENGINEER,KOTTAYAM

R1 BY SRI. V.K.SUNIL, SC.
R2 BY SRI.M.K.CHANDRA MOHANDAS, SC, PCB.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 06/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

W.P.(C) No. 36172 OF 2007

Dated this the 6th day of December, 2007

JUDGMENT

V.K.Sunil, takes notice on behalf of Panchayat. Sri.M.K.Chandra Mohandas, takes notice on behalf of Pollution Control Board. Heard Sri.Boby Joseph, counsel for the petitioner, Sri.V.K.Sunil and Sri.M.K.Chandra Mohandas.

Having considered the rival submissions and the various documents placed on record, particularly Ext.P5, seen issued by the Pollution Control Board and Ext.P6 agreement, I feel that the issue should be reconsidered by the Panchayat. Under these circumstances I dispose of the Writ Petition directing the Kanjirappilly Panchayat to consider the documents relied on by the petitioner and to take a decision on the question of issuing licence to the petitioner after hearing the petitioner. Decision as directed above shall be taken, at the earliest and at any rate, within one month of receiving copy of this judgment and copy of relevant documents.

PIUS C. KURIAKOSE, JUDGE

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